

**To:** Members of Dublin City Council  
**From:** Dana L. McDaniel, City Manager  
**Date:** December 31, 2019  
**Initiated By:** Donna L. Goss, Development Director  
Jennifer D. Readler, Law Director  
Jesse J. Shamp  
Devayani Puranik  
**Re:** Resolutions 01-20, 02-20, and 03-20 – Amending Community Entertainment Districts

## **I. Introduction**

Because of their contribution in helping create vibrant, mixed-use environments, the establishment of Community Entertainment Districts ("CEDs") within the Bridge Street District ("BSD") was contemplated by the City since the early stages of the BSD planning process. The Development Agreement between the City of Dublin and Crawford Hoying Development Partners, LLC contains a commitment by the City to use its best efforts to create one or more CEDs in the BSD that would include the Bridge Park project. To that end, Council approved three community entertainment districts in 2016 via Resolutions 18-16, 19-16 and 20-16.

As development and redevelopment has occurred in the districts over the past few years, one CED, the Scioto North CED has become more stressed than the other two CEDs. Each of the three CEDs was allocated 15 liquor permits based on the size of each area and the amount of investment within that area. Currently, 12 of the 15 permits for the Scioto North CED have been issued. Meanwhile, the Scioto West CED has only used 4 liquor permits and the Scioto East has only used 5 liquor permits.

To ensure that development continues uninhibited, Staff met with Crawford Hoying representatives to discuss the allocation of liquor permits throughout the different CEDs. All parties agreed that a redrawing of the boundaries for the CEDs was in the best interest of spurring development. As such, the attached Resolutions amend the original Resolutions that created the Scioto North, Scioto East, and Scioto West CEDs back in 2016. Staff has followed the exact same statutory procedure it followed when creating the CEDs including the completion of an application and recommendation by the Mayor. Staff also consulted the Ohio Liquor Control Commission which agreed that this was the proper procedure and that determining the boundaries of the CEDs was solely at the discretion of the City.

One CED, the "Scioto North CED," is generally bounded by Emerald Parkway, Dublin Arts Council property line on the north, Riverside Drive and Dale-Tuller Drive on the east, Bridge Park Avenue and North Street across the Scioto River on the south and North High Street and Scioto River western edge on the west and is comprised of approximately 92.76 acres.

The second CED, the "Scioto East CED," is generally bounded by Block D within Bridge Park and Bridge Park Avenue on the north, Shamrock Boulevard on the east, City of Dublin corporate boundary on the south and Riverside Drive, Dave Thomas Boulevard, and Block B within Bridge Park on the west and is comprised of approximately 88.77 acres.

Finally, the “Scioto West CED” is generally bounded by West Bridge Street, Rock Cross Parkway, North Street across the Scioto River, and Bridge Park Avenue on the north, Dave Thomas Boulevard and Bridge Park Block E property line across SR 161 on the east, City of Dublin corporate boundary on the south, and Corbin Mills Drive on the west and is comprised of 85.90 acres. Separate resolutions are included for each of the proposed amendments. This memorandum provides a summary of the process for creating CEDs and additional background information on the boundaries of the proposed districts.

## **II. Background Information**

### **A. What is a Community Entertainment District?**

In 1999, the State of Ohio enacted legislation authorizing the creation of Community Entertainment Districts. The Ohio Revised Code defines a “community entertainment district” as “a bounded area that includes or will include a combination of entertainment, retail, educational, sporting, social, cultural, or arts establishments within close proximity to some or all of the following types of establishments within the district, or other types of establishments similar to these: (1) Hotels; (2) Restaurants; (3) Retail sales establishments; (4) Enclosed shopping centers; (5) Museums; (6) Performing arts theaters; (7) Motion picture theaters; (8) Night clubs; (9) Convention facilities; (10) Sports facilities; (11) Entertainment facilities or complexes; (12) Any combination of the establishments described in division (A)(1) to (11) of this section that provide similar services to the community.”

In plain terms, the creation of a CED is a tool to help facilitate the establishment of restaurants and other similar venues as part of larger scale development and redevelopment-revitalization areas that include the types of uses outlined by the statutes. Once the CED is established, it creates a new “pool” of liquor licenses (in addition to the City’s normal “allocation”) that can only be issued within that CED.

### **B. Key Provisions Regarding CEDs in the Ohio Revised Code – Liquor Permits and Development Investments**

Specifically, a CED allows for an additional pool of liquor permits, above the mandated quota, to be issued within the defined CED area. The CED must include a minimum of 20 acres and may have one such permit for every five acres, up to a maximum of 15 permits. Accordingly, the minimum size required for a CED to take full advantage of the maximum number of permits per CED would be 75 acres. These permits may be transferred from location to location and from owner to owner but only within the specific CED boundaries in which they were issued. So in this way, these permits have far less mobility than traditional liquor permits, but they remain for the benefit of the District into the future.

These CED liquor permits are identified as D5-j permits, and can be obtained at a significantly lower price than a traditional liquor permit. While traditional liquor permits are based on current market conditions and can be bought and sold in today’s market for upwards of \$30,000, depending upon level of availability, D-5j liquor permits cost \$2,344 (Ohio Revised Code Section 4303.181(J)).

The holder of a D-5j permit may exercise the same privileges, and must observe the same restrictions, such as hours of operation, as the holder of a D-5 permit, and must obtain a food service license as well. D-5 liquor permits allow spirituous liquor for on premises consumption only, and beer, wine, and mixed beverages for on premises consumption, or off premises in original sealed containers, until 2:30am.

While the City controls the creation of a CED (as outlined below), the Ohio Division of Liquor Control (the "Division") still controls the issuance of all liquor permits, including the issuance of D-5j permits for CED properties, just as it would for the issuance of other liquor permits. In order for the Division to issue a D-5j liquor permit within a CED located in a city with a population of at least 20,000, R.C. 4303.181(J)(2)(b) requires that "[n]ot less than fifty million dollars will be invested in development and construction in the community entertainment district's area located in the municipal corporation." So clearly, these designations are intended to go hand in hand with a substantial amount of planned private and public development investment within the CED.

We contacted the Division to inquire whether the investment requirement needed to be "new" investments or whether existing investments, which presumably were relatively recent, could be included toward this requirement. The Division advised us that only new investment will be applied toward the \$50 million minimum investment threshold. The Division also stated that it will consider investments in public infrastructure as applying toward that minimum investment threshold. The Division further maintains this level of anticipated investment should be expected to occur over the following 5-10 year period and encourages detailed projections of what items the projected investments will include.

**C. Application and Approval Process Under the Ohio Revised Code**

Section 4301.80 of the Ohio Revised Code outlines the CED application process and addresses the various actions and timing of those actions with regard to processing a CED application.

The pertinent language in R.C. 4301.80(C) regarding timing of the CED application process is as follows:

An application described in division (B) of this section relating to an area located in a municipal corporation shall be addressed and submitted to the mayor of the municipal corporation in which the area described in the application is located. The mayor, *within thirty days* after receiving the application, shall submit the application with the mayor's recommendation to the legislative authority of the municipal corporation.

\* \* \*

*Within thirty days after it receives the application and the mayor's recommendations relating to the application*, the legislative authority of the municipal corporation, by notice published once a week for two consecutive weeks in one newspaper of general circulation in the municipal corporation or as provided in section 7.16 of the Revised Code, shall notify the public that the application is on file in the office of the clerk of the municipal corporation and is available for inspection by the public during regular business hours.

\* \* \*

*Within seventy-five days after the date the application is filed with the mayor of a municipal corporation*, the legislative authority of the municipal corporation by ordinance or resolution shall approve or disapprove the application based on whether the proposed community entertainment district does or will substantially contribute to entertainment, retail, educational, sporting, social, cultural, or arts opportunities for the community. The community considered shall at a minimum include the municipal corporation in which the

community is located. Any approval of an application shall be by an affirmative majority vote of the legislative authority.

\* \* \*

Any owner of property (including the City of Dublin) located in the City may file an application to create a CED. At a minimum, an application to create a CED must contain the following information pursuant to R.C. 4301.80(B):

- The applicant's name and address.
- A map or survey of the proposed CED in sufficient detail to identify the boundaries of the district and the property owned by the applicant (the CED can include properties owned by parties other than the applicant).
- A general statement of the nature and types of establishments that are or will be located in the CED.
- If some or all of the establishments have not yet been developed the proposed time frame for completing the development of these establishments.
- Evidence that the uses of land within the proposed CED are in accord with the City's master zoning plan or map.
- A certificate from a surveyor or engineer that the area encompassed by the proposed CED contains no less than 20 contiguous acres.
- A handling and processing fee, payable to the applicable municipal corporation, in an amount determined by that municipal corporation.

#### **D. Recent Adoption of Open Container Law**

Ohio also authorizes municipal corporations and townships to create outdoor refreshment areas ("ORAs") that are exempted from the Open Container Law, *i.e.*, areas in which individuals are permitted to carry open containers of beer or intoxicating liquor within an ORA, provided that the container is purchased from a specified liquor permit holder with an ORA designation. **Dublin's proposed creation of CEDs does not permit individuals to carry open containers of beer or intoxicating liquor and is unrelated to the provisions of Sub. H.B. 74.**

### **III. Formal Applications to Amend Three Bridge Street District CEDs and Proposed Locations of Those CEDs**

As a result of discussions with Crawford Hoying and with a desire spur growth, Staff has developed applications for amending the boundaries of each of the existing CEDs. One CED, the "Scioto North CED," is generally bounded by Emerald Parkway, Dublin Arts Council property line on the north, Riverside drive and Dale-Tuller Drive on the east, Bridge Park Avenue and North Street across the Scioto River on the south and North High Street and Scioto River western edge on the west and is comprised of approximately 92.76 acres. The second CED, the "Scioto East CED," is generally bounded by Block D within Bridge Park and Bridge Park Avenue on the north, Shamrock Boulevard on the east, City of Dublin corporate boundary on the south and Riverside Drive, Dave Thomas Boulevard, and Block B within Bridge Park on the west and is comprised of approximately 88.77 acres. The third CED, "Scioto West CED," is generally bounded by West Bridge Street, Rock Cress Parkway, North Street across the Scioto River, and Bridge Park Avenue on the north, Dave Thomas Boulevard and Bridge Park Block E property line across SR 161 on the east, City of Dublin corporate boundary on the south, and Corbin Mills Drive on the west and is comprised of 85.90 acres. Separate resolutions are included for the proposed boundary changes.

This memorandum provides a summary of the process for creating CEDs and additional background information on the reasons for amending the boundaries of the Scioto North, East, and West CEDs.

The proposed Scioto North CED encompasses the transition between the vibrant Historic Downtown and a more modern, urban destination. The Scioto North CED contains portions of Bridge Park, Dublin's newest urban, walkable neighborhood spanning 30 acres along the Scioto River as a destination for entertainment, retail, social and cultural connections. Connected by an iconic pedestrian bridge and riverfront park, Bridge Park West compliments the modern by providing the transition to Dublin's Historic Downtown. Bridge Park West will feature high-end, for sale condominiums with views of the Scioto River, restaurants, retail and office space that correspond to the character of Dublin's heritage. In addition to the Bridge Park and Bridge Park West developments, the proposed Scioto North CED includes the recently completed 83,046 square foot senior housing campus – The Grand – and four sit-down restaurants located in Historic Dublin. The Scioto North CED application is attached as Exhibit B.

The proposed Scioto East CED encompasses Block B of Dublin's newest mixed-use neighborhood, Bridge Park. Located along the Scioto River, Bridge Park will incorporate entertainment, retail, commercial, and residential uses. Bridge Park will be developed in multiple phases over the next few years originating with Block B, which is currently under construction. In addition to the Bridge Park development, the proposed Scioto East CED includes a 324,158 square foot office headquarters for "Wendy's International," a 17,565 square foot restaurant, La Scala, as well as a 130,087 square foot shopping center, "Shoppes at River Ridge," which in turn includes two sit down restaurants and one fast food restaurant. The Scioto East CED application is attached as Exhibit C.

The proposed Scioto West CED encompasses Dublin's vibrant Historic Downtown. Dublin's Historic Core is built upon a rich history and is a destination for entertainment, retail, social and cultural connections. The Historic District includes about 11 specialty restaurants of which 7 are located within the Scioto West CED, along with boutique retail stores, the Columbus Metropolitan Library branch and several small businesses. Two mixed-use projects have been built within the District in recent years. In addition to Historic Dublin, the proposed Scioto West CED includes a portion of the new mixed-use Bridge Park development, Block A, along the Riverside Drive roundabout currently under construction. Upon completion, Bridge Park will include an array of residential, retail, entertainment and office uses within a walkable and inviting neighborhood. The Scioto West CED application is attached as Exhibit D.

City Staff submitted all three applications to Mayor Peterson on December 2 and he recommended approval of them on the same day. The City then complied with Ohio Revised Code requirements to publish notice of the applications once per week for two consecutive weeks in a newspaper of general circulation—December 12, 2019 and December 19, 2019. Per the Code, City Council must approve or reject the applications within 75 days of being submitted to the Mayor. As such, a final vote on the applications must be held by February 15, 2020.

#### **IV. Table of Issued and Needed Permits for Each Amended CED**

Below are tables for each proposed CED that detail the liquor permit locations already issued and the locations that will need a liquor permit based on the current development plan. These amendments to the CED boundaries maximize the liquor permits available in each area.

<b>Scioto North CED</b>				
	Block C	Block Z	Other	<b>Totals</b>
<b>Issued</b>				<b>11</b>
Vrable			X	
Harvest Pizza			X	
Dublin Arts Council			X	
Fukuryu Ramen	X			
Anthony Vince	X			
Avenue		X		
Fado	X			
Hen Quarter	X			
Condado		X		
No Soliciting		X		
Pint House	X			2
<b>Needed</b>				
The Pearl		X		
Z Restaurant		X		
<b>Totals</b>	<b>5</b>	<b>5</b>	<b>3</b>	<b>13</b>

<b>Scioto West CED</b>					
	Block A	Block F	Block J	Other	<b>Totals</b>
<b>Issued</b>					<b>4</b>
Exchange	X				
AC Marriott	X				
Vine & Tap				X	
Coast House				X	
<b>Needed</b>					<b>6</b>
A Office Restaurant	X				
A Garage	X				
Springhill Suites		X			
F Restaurant 1		X			
J Restaurant 1			X		
Sports Facility			X		
<b>Totals</b>	<b>4</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>10</b>

<b>Scioto East CED</b>					
	Block B	Block D	Block G	Other	<b>Totals</b>
<b>Issued</b>				X	<b>5</b>
Oakland Nursery					
Pins	X				
Local Cantina	X				
Z Cucina	X				
Rebol	X				
<b>Need</b>					<b>10</b>
Weenie Wonder	X				
Frank & Carl's	X				

B2 Restaurant	X				
D Restaurant 1		X			
D Restaurant 2		X			
D Restaurant 3		X			
D Restaurant 4		X			
North Market		X			
G Restaurant 1			X		
G Restaurant 2			X		
<b>Totals</b>	<b>7</b>	<b>5</b>	<b>2</b>	<b>15</b>	

**V. Recommendation**

Staff recommends that City Council approve Resolutions 01-20, 02-20, and 03-20 at the January 6, 2020 Council meeting.

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 03-20

Passed \_\_\_\_\_, 20\_\_\_\_

**A RESOLUTION APPROVING THE CITY OF DUBLIN'S APPLICATION TO ADJUST THE BOUNDARIES OF THE SCIOTO NORTH COMMUNITY ENTERTAINMENT DISTRICT, GENERALLY BOUNDED BY EMERALD PARKWAY AND THE DUBLIN ARTS COUNCIL PROPERTY ON THE NORTH, RIVERSIDE DRIVE AND DALE-TULLER DRIVE ON THE EAST, BRIDGE PARK AVENUE AND NORTH STREET ACROSS THE SCIOTO RIVER ON THE SOUTH, AND NORTH HIGH STREET AND THE SCIOTO RIVER WESTERN EDGE ON THE WEST.**

**WHEREAS**, a Community Entertainment District ("CED") is defined as "a bounded area that includes or will include a combination of entertainment, retail, educational, sporting, social, cultural, or arts establishments within close proximity to some or all of the following types of establishments within the district, or other types of establishments similar to these: (1) Hotels; (2) Restaurants; (3) Retail sales establishments; (4) Enclosed shopping centers; (5) Museums; (6) Performing arts theaters; (7) Motion picture theaters; (8) Night clubs; (9) Convention facilities; (10) Sports facilities; (11) Entertainment facilities or complexes; (12) Any combination of those establishments described that provide similar services to the community;

**WHEREAS**, a CED is an economic development tool that is important for revitalizing or activating neighborhoods and development areas, creating jobs, and allowing new businesses to open and operate;

**WHEREAS**, when a CED is established, it creates a new "pool" of available liquor permits that can only be issued to businesses located within the CED;

**WHEREAS**, a CED allows for additional liquor permits, above the normal mandated quota, to be issued in the defined CED area – the CED may have one such permit for every five acres of the CED, up to a maximum of 15 permits;

**WHEREAS**, CED liquor permits are identified as D5-j permits, and can be obtained at a significantly lower price than a traditional liquor permit, which is subject to highly variable market conditions, and may be transferred from location to location and from owner to owner but only within the CED boundaries in which they were issued;

**WHEREAS**, the holder of a D-5j permit may exercise the same privileges, and must observe the same hours of operation and regulatory oversight, as the holder of a D-5 permit, which allows spirituous liquor for on premises consumption only, and beer, wine, and mixed beverages for on premises consumption, or off premises in original sealed containers, until 2:30 am;

**WHEREAS**, the Ohio Division of Liquor Control (the "Division") still controls the issuance of liquor permits, including the issuance of D-5j permits for CED properties (just as it would for the traditional D-5 permit);

**WHEREAS**, an application for a CED may be filed with the City by any owner of property (including the City of Dublin) located in the City, and must be addressed and submitted to the mayor;

**WHEREAS**, in order for the Division to issue a D-5j liquor permit within a CED located in a city with a population of at least 20,000, R.C. 4303.181(J)(2)(b) requires that "...not less than fifty million dollars will be invested in development and construction in the community entertainment district's area located in the municipal corporation;

**WHEREAS**, the Dublin City Council approved the creation of the Scioto North CED via Resolution 18-16 in April 2016;

**WHEREAS**, development within Bridge Park has been extensive but has resulted in a concentration of the D-5j liquor permits within the Scioto North CED;



# RECORD OF RESOLUTIONS

Resolution No. 03-20

Passed Page 2 of 2, 20  

**WHEREAS**, the Scioto North CED has already filled 12 of the available 15 liquor permits, the Scioto East CED has filled 5 of the available 15 permits, and the Scioto West CED has filled only 4 of the available 15 permits.

**WHEREAS**, the City Manager submitted an application to adjust the boundaries of the Scioto North CED to Mayor Peterson on December 2, 2019;

**WHEREAS**, the application is attached hereto;

**WHEREAS**, the "Scioto North CED" is comprised of approximately 92.76 acres and is generally bounded by Emerald Parkway, Dublin Arts Council property line on the north, Riverside drive and Dale-Tuller Drive on the east, Bridge Park Avenue and North Street across the Scioto River on the south and North High Street and Scioto River western edge on the west;

**WHEREAS**, as required by statute, the Mayor reviewed and recommended approval of the proposed CED boundary adjustment on December 2, 2019;

**WHEREAS**, as required by statute, the Clerk of Council provided notice to the public, by publication in the Dublin Villager, on December 12, 2019 and December 19, 2019, that the CED boundary adjustment application is on file in the Clerk's office and available for inspection by the public during regular business hours (the application was posted on the City's website as well); and

**WHEREAS**, within 75 days after the CED application is filed with the Mayor, City Council must approve or disapprove the application based on whether the proposed boundary adjustment to the CED will substantially contribute to entertainment, retail, educational, sporting, social, cultural, or arts opportunities for the community.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Dublin, State of Ohio, \_\_\_\_\_ of the elected members concurring that:

**Section 1.** Council determines that the proposed boundary adjustment to the Scioto North CED will substantially contribute to entertainment, retail, educational, sporting, social, cultural, or arts opportunities for the community and the Bridge Street District development and affirms the filing of the application.

**Section 2.** Council determines that the application is complete and meets all statutory requirements for the creation of a CED.

**Section 3.** Council hereby approves the boundary adjustment for the Scioto North CED as submitted by the City Manager.

**Section 4.** This Resolution shall take effect in accordance with 4.04(a) of the Dublin Revised Charter.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor – Presiding Officer

ATTEST:

\_\_\_\_\_  
Clerk of Council



# City of Dublin COMMUNITY ENTERTAINMENT DISTRICT APPLICATION

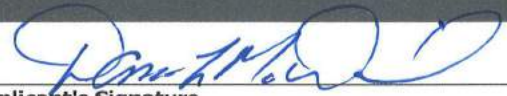
### PLEASE SUBMIT THIS FORM WITH:

- Application Fee Payment
- Application for Entertainment District Form
- Application Table of Contents, list all submitted materials
- Other Application Materials:
  - Maps or exhibits, analysis, other supporting documents, etc.

This is the general application form for a Community Entertainment District (CED). The City has incorporated the CED as a financial and development tool to assist the community with the growth of mixed-use areas. Applicants may submit an application to the Mayor's attention through the Department of Development to seek approval of a CED in order to assist prospective development through promoting entertainment oriented uses. For more information, please contact the Department of Development at 614.410.4600.

### I. APPLICANT INFORMATION: Please provide the name and address of the applicant for the proposed Community Entertainment District.

Dana L. McDaniel  
 City Manager  
 City of Dublin  
 5200 Emerald Parkway  
 Dublin, Ohio 43017

  
 Applicant's Signature  
 11/26/19  
 Date

### II. PROPOSED BOUNDARY: Please provide a map or survey indicating the proposed Community Entertainment District (CED), and property owned by the applicant within the proposed CED.

Attached to this application as Exhibit A is a map identifying the boundary of the proposed "Scioto North CED", comprising 92.76 acres and includes privately-owned land, publicly-owned land and public rights-of-way.

The City of Dublin, the Applicant, owns a total of approximately 37.32 acres within the proposed CED, shown as "City of Dublin Owned Land" on Exhibit A.

### III. ESTABLISHMENTS: Please provide a general statement of the types of establishments described in R.C. §4301.80(A) that are or will be located within the proposed CED, and any other establishments not listed.

The proposed Scioto North CED is located on both sides of the Scioto River and encompasses portions of Dublin's vibrant Historic Downtown as well as the majority of the new Bridge Park development. On the east side of the Scioto River lies the Bridge Park East development project, which represents Dublin's newest urban, walkable, mixed-use neighborhood, spanning 30 acres along the river. The project will serve as a destination for entertainment, retail, office, social, and cultural activities. Bridge Park West is located adjacent to the City's Historic District (parts of which located within this CED) and provides a more contemporary facade to its east while providing an appropriate transition to the Historic Downtown. Block C in Bridge park East encompasses Bridge Park's anchor mixed use building with high end restaurants and office spaces. Bridge Park West features high-end, for-sale condominiums, restaurants, retail, and office space.

In addition to the Bridge Park & Bridge Park West developments, the proposed Scioto North CED includes a 83,000 sqft Senior Housing campus known as "The Grand", the Dublin Arts Council (DAC) as well as four existing sit-down restaurants located in Historic Dublin. (Exhibit B)

**IV. PROPOSED ESTABLISHMENTS:** Please describe any proposed establishments within the CED not yet developed, and time frame for completion.

As reflected in Exhibit C, the Bridge Park & Bridge Park West developments envision the creation of a high-value, mixed-use entertainment and retail destination, with new river front parks and an iconic pedestrian bridge over the Scioto River. The proposed Scioto North CED includes Blocks C & H of the Bridge Park development encompassing high-quality mixed-use development containing housing, an array of restaurants, and other retail and office spaces. The Bridge Park West development started in 2017 with projected completion in 2019 with the pedestrian bridge slated for the winter of 2018 and the river front parks in fall 2019.

The Bridge Park developments are a key element in advancing the City's planning and economic development goals for its Bridge Street District initiative. The City envisions these developments and other related public projects will serve as both a unique attraction and a catalyst for future redevelopment and investment within the Bridge Street District.

**V. LAND USE:** Please provide evidence that uses of land within the proposed CED are in accord with the City's Comprehensive Plan and Zoning.

The uses within the proposed Scioto North CED were established as part of the rezoning applications that have taken place within the past five years. It is because of these rezoning's that the properties located within the CED boundary conform to both the City of Dublin's Future Land Use Map, as noted in the Community Plan, and the Zoning Classification Map. Please refer to Exhibit D attached to this application for a more detailed description of the conformance with City legislation.

**VI. BOUNDARY AREA:** Please provide certification by licensed surveyor or engineer that the CED area is not less than twenty contiguous acres.

Certification from Aaron Stanford, P.E., 68747 State of Ohio and Senior Civil Engineer for the City of Dublin, is provided in Exhibit E stating that the area encompassed by the proposed Community Entertainment District consists of more than the minimum required twenty (20) contiguous acres.

**VII. APPLICATION FEE:** Please provide the required handling and processing fee paid to the City as determined by the City.

This requirement is not applicable since no fee has yet been adopted by the City of Dublin.

**VIII. DEVELOPMENT INVESTMENT:** Please provide evidence that demonstrates that at least \$50 million will be invested in development and construction in the CED's area.

The Scioto North CED includes several major public infrastructure projects and private redevelopment projects which are currently underway. The table, provided in Exhibit F, lists the summary of these planned financial investments, both from public and private sector. All investment amounts listed are referenced from City of Dublin CIP (Ord. 38-19) and economic development agreement between City of Dublin and project developers (Ord. 44-15).

**ADDITIONAL BACKGROUND INFORMATION REGARDING THE LIQUOR PERMITS THAT MAY BE CONSIDERED BY THE DIVISION OF LIQUOR CONTROL IF A CED IS APPROVED BY DUBLIN CITY COUNCIL:**

**Issuance of Permits:** A "D-5j" liquor permit may be issued to the owner or operator of a retail food establishment or a food service operation licensed under the Ohio Revised Code to sell beer and intoxicating liquor at retail, only by the individual drink and glass and from the container, for consumption on the premises where sold, and to sell beer and wine in the appropriate container and amounts not for consumption on the premises as set for in the Ohio Revised Code. (O.R.C. §4303.181(J))

Following the designation of CED in the City of Dublin as a Community Entertainment District, each individual application of any owner or operator for a "D-5j" liquor permit within the Community Entertainment District must still be approved pursuant to Ohio Revised Code and the rules and regulations of the Ohio Division of Liquor Control. In addition, any proposed use for any owner or operator for a "D-5j" liquor permit within the Community Entertainment District must comply with the City's current zoning for the applicable property and any restriction of record in Franklin County, Ohio affecting the applicable property.

**Ohio Revised Code 4303.181(J):** The D-5j permit shall be issued only within a community entertainment district that is designated under section 4301.80 of the Revised Code. The permit shall not be issued to a community entertainment district that is designated under divisions (B) and (C) of section 4301.80 of the Revised Code if the district does not meet one of the following qualifications:

- (1) It is located in a municipal corporation with a population of at least one hundred thousand.
- (2) It is located in a municipal corporation with a population of at least twenty thousand, and either of the following applies:
  - (a) It contains an amusement park the rides of which have been issued a permit by the department of agriculture under Chapter 1711. of the Revised Code.
  - (b) Not less than fifty million dollars will be invested in development and construction in the community entertainment district's area located in the municipal corporation.
- (3) It is located in a township with a population of at least forty thousand.
- (4) It is located in a township with a population of at least twenty thousand, and not less than seventy million dollars will be invested in development and construction in the community entertainment district's area located in the township.
- (5) It is located in a municipal corporation with a population between ten thousand and twenty thousand, and both of the following apply:
  - (a) The municipal corporation was incorporated as a village prior to calendar year 1860 and currently has a historic downtown business district.
  - (b) The municipal corporation is located in the same county as another municipal corporation with at least one community entertainment district.
- (6) It is located in a municipal corporation with a population of at least ten thousand, and not less than seventy million dollars will be invested in development and construction in the community entertainment district's area located in the municipal corporation.
- (7) It is located in a municipal corporation with a population of at least five thousand, and not less than one hundred million dollars will be invested in development and construction in the community entertainment district's area located in the municipal corporation.

The location of a D-5j permit may be transferred only within the geographic boundaries of the community entertainment district in which it was issued and shall not be transferred outside the geographic boundaries of that district.

Not more than one D-5j permit shall be issued within each community entertainment district for each five acres of land located within the district. Not more than fifteen D-5j permits may be issued within a single community entertainment district. Except as otherwise provided in division (J)(4) of this section, no quota restrictions shall be placed upon the number of D-5j permits that may be issued.

The fee for a D-5j permit is two thousand three hundred forty-four dollars.

**FOR CITY USE ONLY**

In accordance with the provisions contained in the Ohio Revised Code Section 4301.80(C), the Mayor of the City of Dublin recommends that this action be:

Approved    
\_\_\_\_\_  
Mayor's Signature

Disapproved   
12/2/19  
\_\_\_\_\_  
Date



Resolution No. \_\_\_\_\_ Date \_\_\_\_\_

**Exhibit A - CED Boundary**



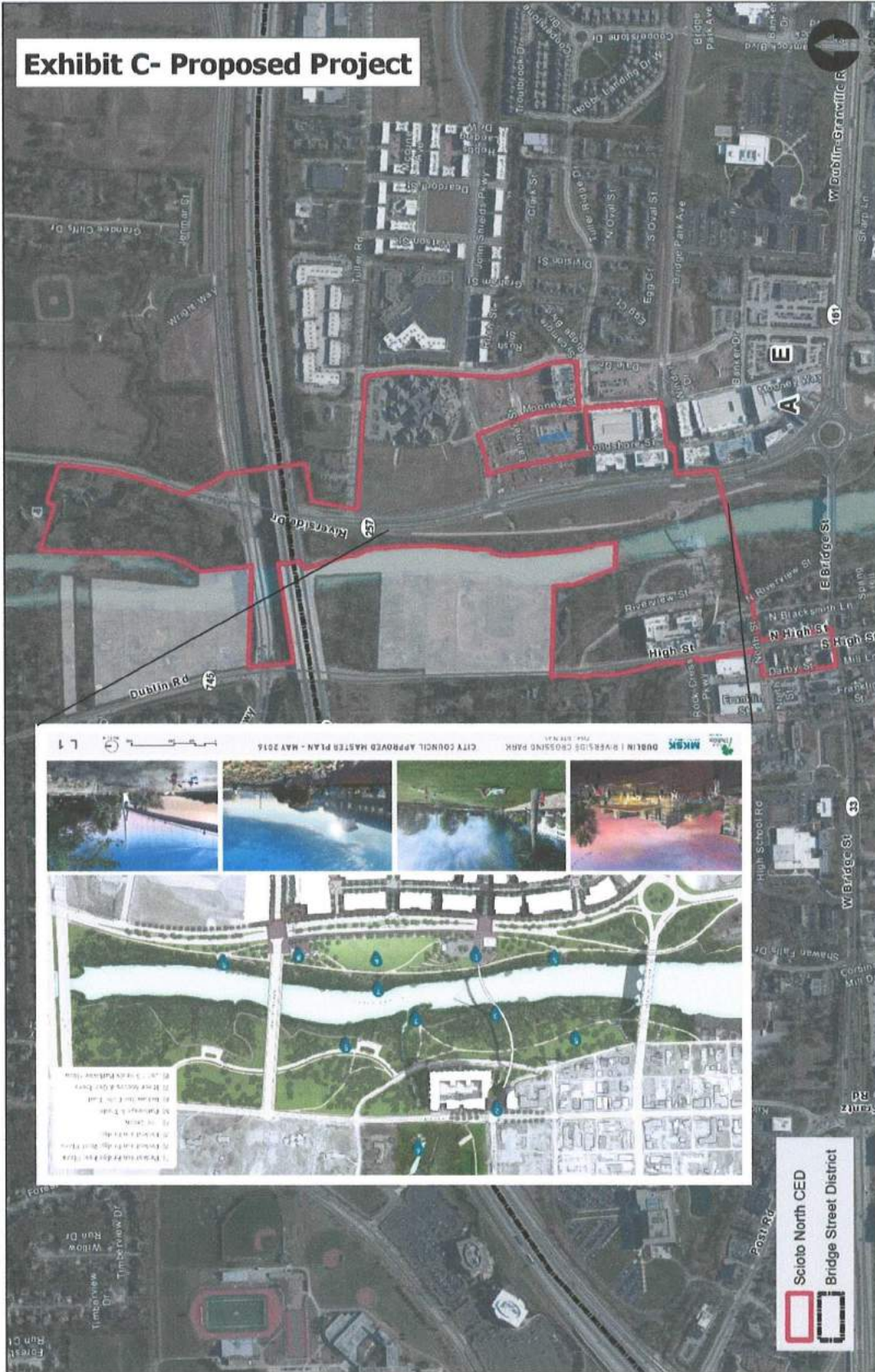
# Exhibit B - Existing Establishments

#	Name	Address
1	Mezzo	12 W Bridge Street
2	Mr Sushi	3 N. High St
3	Tucci's	35 N. High Street
4	Harvest Pizzeria Dublin	45 N. High Street
5	Oscar's of Dublin	84 N. High Street
6	The Avenue Steak Tavern	94 N. High Street
7	Condado Tacos	102 N. High Street
8	Hen Quarter	6628 Riverside Dr
9	Cap City Diner	6644 Riverside Dr
10	Fado Pub and Kitchen	6652 Riverside Dr
11	Urban Meyer's Pint House	6632 Longshore St
12	Fukuryu Ramen	4540 Bridge Park Ave

 Scioto North CED  
 Bridge Street District



# Exhibit C- Proposed Project



**Bridge Park East Development Program – Exhibit C**

Bridge Park- A		Bridge Park- B		Bridge Park- C		Bridge Park- D		Bridge Park- G (Proposed)		Bridge Park- H	
Use	Sq-Ft/Amt	Use	Sq-Ft/Amt	Use	Sq-Ft/Amt	Use	Sq-Ft/Amt	Use	Sq-Ft/Amt	Use	Sq-Ft/Amt
Hotel	107,043	Office	47,000	Office	91,000	Eating and Drinking (market)	12,850	Mixed Use	105,000		
Conference Center	19,104	Retail	15,000	Retail	6,000	Retail	38,500	Residential	117 units	Residential	64 Units
Office	89,000	Restaurant	40,000	Restaurant	41,000	Apartments	175 units	Office	170,000		
Parking	468 spaces	Apartments	228 units	Apartments	154 units	Parking	749 spaces				
		Parking	850 spaces	Parking	879 spaces	Office	114,150	Parking	291		

<b>Bridge Park West Development Program (Z1 Bldg)</b>	
Use	Sq-Ft/Amt
Residential	42 Units
Office	14,570 Sq-ft
Restaurants	8,800 Sq.ft
Retail	4,479 Sq-ft
Parking	360 Spaces
<b>Bridge Park West Development Program (Z2 Bldg)</b>	
Restaurant	9,586 sqft
Residential	4 units



## **Exhibit D – Land Use Classifications**

The proposed Scioto North CED is located at the economic heart of the community, including perhaps the most critical planning district in the city known as the “Bridge Street District”. The city’s Community Plan and “Bridge Street District Special Area Plan” establish the future vision for this area and form the framework within which all City development decisions are made. As part of the implementation, the Bridge Street District form based zoning regulations were adopted to reflect the goals and design principles articulated in the special area plan.

The Bridge Street District Plan’s purpose is to envision a future for this critical part of Dublin that takes full advantage of the area’s assets, puts forth a more sustainable pattern for future development, and capitalizes on emerging market opportunities over the next several decades. Economic conditions have created a unique opportunity to explore new avenues of preservation and growth in this important business neighborhood, which contains assets like Historic Dublin and the Scioto River, as well as some of the City’s most strategic redevelopment opportunities. The Bridge Street District already has a strong foundation, with redevelopment providing vital support to the City’s economy, sustainability, and continued high quality of life over the decades to come.

The Bridge Street District Plan is intended to establish a vision for the transformation of underutilized land in the city’s core into just this sort of environment—creating value for the community while continuing to enhance Dublin’s overall economic strength and quality of life.

The Bridge Street Special Area Plan future land use recommendation for the area within Scioto North CED is “Mixed Use Urban Core”. This classification is intended to accommodate a strong mixture of uses in an active, highly walkable environment. A variety of building types ranging in height from two to seven stories may incorporate commercial, residential and institutional uses in various combinations. Buildings are located close to public sidewalks and parking is accommodated through a mixture of on- street spaces, building-integrated facilities, strategically-located surface lots and stand- alone parking structures. This classification allows for the widest mixture of uses and highest development densities within the City. The remaining area within Scioto North CED is intended to develop as part of the Riverfront Parks. (Exhibit D – Future Land Use Map)

The Bridge Street District (BSD) form based zoning regulations reflect the Bridge Street District special area plan vision. The Bridge Street District zoning districts are intended to bring to life the five Bridge Street District Vision Principles by enhancing economic vitality; integrating the new center into community life; embracing Dublin’s natural setting and celebrating a commitment to environmental sustainability; expanding the range of choices available to Dublin and the region; and creating places that embody Dublin’s commitment to community.

More specifically, the purpose of the Bridge Street District zoning districts is to promote development that creates an emerging center for urban lifestyles within a walkable, mixed- use urban environment that will enhance central Dublin’s image as an exceptional location for high quality business investment. These districts are further intended to create places that embody Dublin’s commitment to community through the preservation of those areas having architectural landmarks and traditional design, creating complete neighborhoods, and providing designs that

honor human scale in their details.

The Zoning Classifications within the Scioto North CED include-

*BSD - Office Residential:* The intent of this district is to accommodate a mix of office and multiple-family residential development at higher densities and in larger buildings. This district offers great flexibility to take advantage of visibility and access for office uses, with opportunities to create residential neighborhoods to support the adjacent BSD zoning districts. Uses include a mix of residential, personal service, and commercial uses.

*BSD - Scioto River Neighborhood:* The standards of the BSD Scioto River Neighborhood are intended to create an active, walkable destination through integration of a vibrant mix of uses. Development in this district is oriented toward the Scioto River and the public spaces along the riverfront, and includes important vehicular and bicycle links to adjacent neighborhoods and open spaces. This district accommodates a wide variety of building types and permitted uses. Development of the BSD Scioto River Neighborhood area establishes a walkable, mixed-use core as the center of the Bridge Street District.

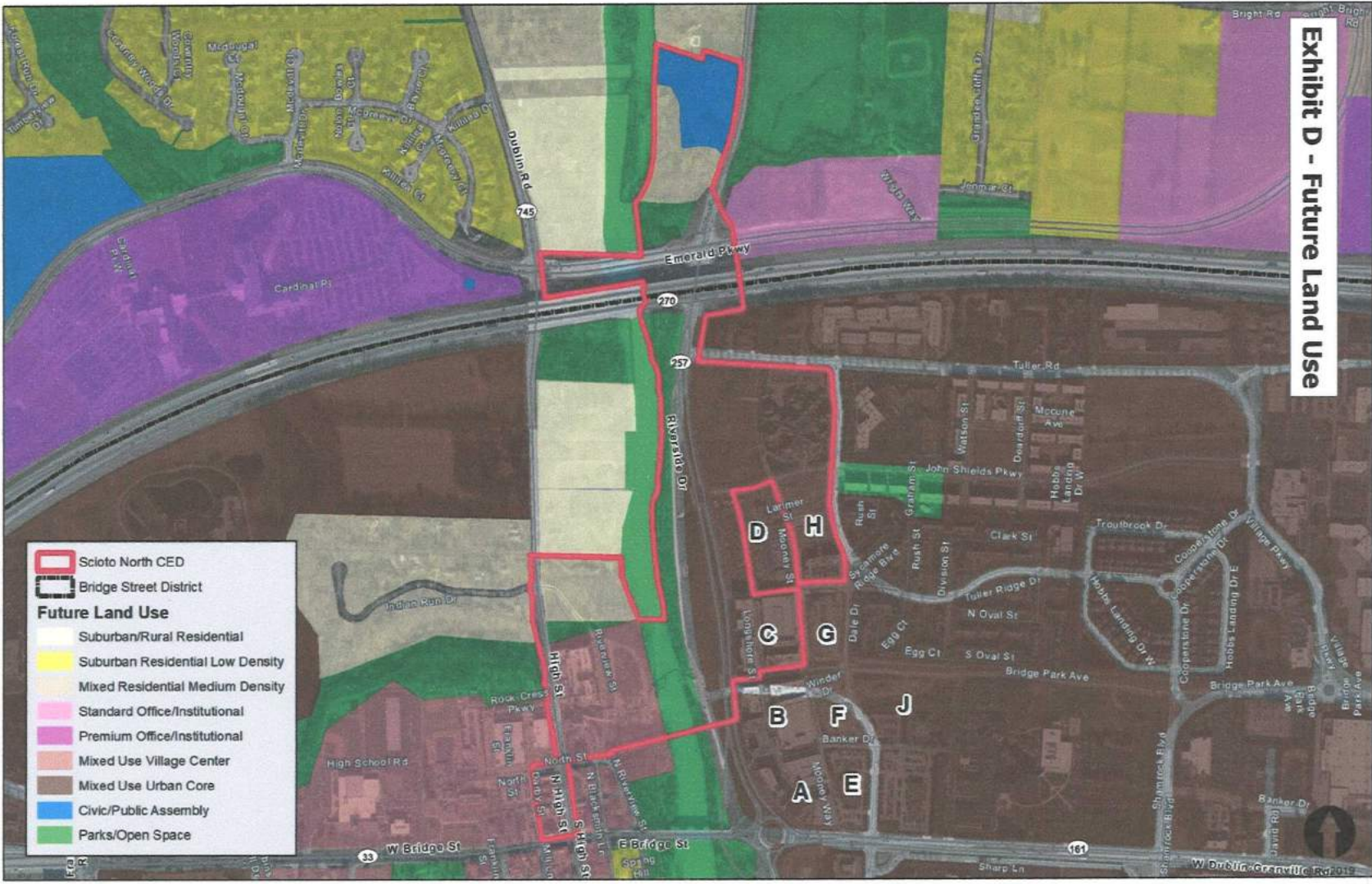
*BSD - Historic Transition:* This district complements the BSD Historic Core district by accommodating a variety of building types within a finer grained street and block network and uses consistent with that district. Development character allows an extension of the walkable mixed use character of the BSD Historic Core district on the larger parcels within this district. The requirements establish open space patterns and location requirements for building types, provide additional residential opportunities, and extend the small scale commercial activities of the BSD Historic Core district.

*BSD - Historic Core:* This district applies to the historic center of Dublin and reinforces the character of this area as the centerpiece of the Bridge Street District. The district focuses on ensuring sensitive infill development and redevelopment and providing an improved environment for walking while accommodating vehicles. The district accepts building types that are consistent with the historic development pattern of Historic Dublin and permit similar uses that support a highly walkable setting.

*BSD - Public:* This district applies to a variety of public spaces and facilities, including but not limited to schools, parks, open spaces, and places that accommodate more intensive recreation, such as outdoor entertainment venues. It also applies to lands in and adjacent to rivers and creeks on which development is limited due to inclusion in a Federal Emergency Management Agency (FEMA) designated floodplain as regulated by this chapter, or lands that have special cultural or environmental sensitivity.

*R-1 - Restricted Suburban Residential:* This classification is based on the existing zoning for single-family residential on the west side of the Scioto River. (Exhibit D – Zoning Map)

**Exhibit D - Future Land Use**



- Scioto North CED
- Bridge Street District
- Future Land Use**
- Suburban/Rural Residential
- Suburban Residential Low Density
- Mixed Residential Medium Density
- Standard Office/Institutional
- Premium Office/Institutional
- Mixed Use Village Center
- Mixed Use Urban Core
- Civic/Public Assembly
- Parks/Open Space

# Exhibit D - Zoning



**Exhibit E**



October 10, 2019

To Whom It May Concern,

The undersigned, C. Aaron Stanford, P.E., a Professional Engineer, registered with the State of Ohio, has reviewed the current zoning map associated with the Scioto North CED.

The area of the proposed Scioto North CED is to include the area as illustrated on the attached Exhibit A. Based upon review and calculations from the available GIS shapefiles and parcel boundaries; the Community Entertainment District has been determined to have an area greater than 20 acres. The Community Entertainment District is approximately 92.76 acres.

Sincerely,

C. Aaron Stanford, P.E.,  
State of Ohio Registered Professional Engineer, 68747  
Senior Civil Engineer

Cc: Paul A. Hammersmith, P.E., Director of Engineering/City Engineer  
Project File

## Exhibit F – Development Investment

Investments 2016-2026			
	Type	Project	Scioto North CED
			(Millions)
<b>1</b>	Public	Pedestrian Bridge	\$19.20
<b>2</b>	Public	Riverfront Parks	\$20.00
<b>3</b>	Public	North Riverview Extension	\$2.40
<b>4</b>	Private	Bridge Park West Development	\$51.40
<b>4</b>	Public	Bridge Park West Development	\$10.50
<b>5</b>	Private	Bridge Park East Block C	\$71.20
<b>6</b>	Private	Bridge Park East Block H	\$34.10
		<b>TOTAL</b>	<b>\$208.80</b>

